

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JIMMIE HORNE,

Plaintiff,
v.

DR. DAUGHTRY, et al.

Defendants.

ORDER

Case No. 23-cv-621-jdp

JIMMIE HORNE,

Plaintiff,
v.

DR. BREEN, et al.

Defendants.

ORDER

Case No. 23-cv-622-jdp

Plaintiff Jimmie Horne has submitted a certified inmate trust fund account statement for the six-month period preceding the complaints in support of the pending motions to proceed without prepayment of the filing fee. Accordingly, the court must determine whether plaintiff qualifies for indigent status and, if so, calculate initial partial payments of the \$350.00 fee for filing these cases.

Even when an inmate litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I calculate plaintiff's initial partial filing fee to be \$63.02. For these cases to proceed, plaintiff must submit this amount for each case on or before October 10, 2023.

If plaintiff does not have enough money to make the initial partial payments from plaintiff's regular account, plaintiff should arrange with prison authorities to pay the remainder from plaintiff's release account.

ORDER

IT IS ORDERED that,

1. Plaintiff Jimmie Horne is assessed \$63.02 as an initial partial payment of the \$350.00 fee for filing case 23-cv-621-jdp.
2. Plaintiff Jimmie Horne is assessed \$63.02 as an initial partial payment of the \$350.00 fee for filing case 23-cv-622-jdp.
3. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$63.02 for each case (or one check in the amount of \$126.04) or advise the court in writing why plaintiff is not able to submit the assessed amounts on or before October 10, 2023. If, by October 10, 2023, plaintiff fails to submit an initial partial payment or show cause for failure to do so, plaintiff will be held to have withdrawn the action voluntarily and the case will be closed without prejudice to plaintiff filing this case at a later date.
4. No further action will be taken in the cases until the clerk's office receives plaintiff's initial partial filing fees as directed above and the court has screened the complaint as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 19th day of September, 2023.

BY THE COURT:

/s/

ANDREW R. WISEMAN

United States Magistrate Judge